

AO 245B (Rev. 11/16) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

District Of South Dakota, Southern Division

UNITED STATES OF AMERICA

v.

Stanley Dean Brower,
d/b/a Brower Enterprises, Inc.,
and d/b/a Health Enterprises,

JUDGMENT IN A CRIMINAL CASE

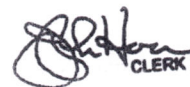
Case Number: 4:15CR40001-1

USM Number: 14315-273

Jason J. Tupman
Defendant's Attorney

FILED

MAR 28 2017


CLERK

THE DEFENDANT:

☒ pleaded guilty to count(s) 13 of the Indictment.☐ pleaded nolo contendere to count(s)
which was accepted by the Court.☐ was found guilty on count(s)
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 U.S.C. §§ 331(c) and 333(a)(2)	Receipt and Offered Delivery of Misbranded Drug	12/18/2012	13

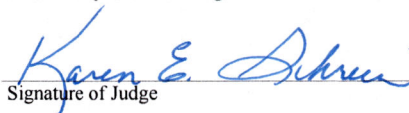
The defendant is sentenced as provided in this Judgment. The sentence is imposed pursuant to the statutory and constitutional authority vested in this Court.

☐ The defendant has been found not guilty on count(s) _____☒ Count(s) 1-12, and 14 of the Indictment ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant must notify the Court and United States attorney of material changes in economic circumstances.

03/27/2017

Date of Imposition of Judgment


Signature of JudgeKaren E. Schreier, United States District Judge
Name and Title of JudgeMarch 27, 2017
Date

AO 245B (Rev. 11/16) Judgment in a Criminal Case
Sheet 4—Unsupervised Probation

DEFENDANT: Stanley Dean Brower
CASE NUMBER: 4:15CR40001-1

UNSUPERVISED PROBATION

The defendant is hereby sentenced to unsupervised probation for a term of : 1 year.

You must not commit another federal, state, or local crime.

The defendant shall not unlawfully possess or use a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the Court.

- ☒ The above drug testing condition is suspended based on the Court's determination the defendant will not be supervised by the U.S. Probation Office. *(Check, if applicable.)*
- ☐ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- ☐ The defendant shall cooperate in the collection of DNA as required by statute. *(Check, if applicable.)*
- ☐ The defendant shall notify the Financial Litigation Unit of the United States Attorney's Office of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution.
- ☐ The defendant shall stay current with ongoing child support obligations.

If this Judgment imposes a fine or restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this Judgment.

AO 245B (Rev. 11/16) Judgment in a Criminal Case
Sheet 5 — Criminal Monetary Penalties

DEFENDANT: Stanley Dean Brower
CASE NUMBER: 4:15CR40001-1

CRIMINAL MONETARY PENALTIES

You must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$100	Not Applicable	\$1,000	None Requested

- ☐ The determination of restitution is deferred until .
An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

- ☐ You must make restitution (including community restitution) to the following payees in the amount listed below.

If you make a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	---------------------	----------------------------	-------------------------------

TOTALS \$ _____ \$ _____

- ☐ Restitution amount ordered pursuant to Plea Agreement \$ _____
- ☐ You must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the Judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☐ The Court determined that you do not have the ability to pay interest and it is ordered that:
- ☐ the interest requirement is waived for the ☐ fine ☐ restitution.
- ☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO245B (Rev. 11/16) Judgment in a Criminal Case.
Sheet 5 — Schedule of Payments

DEFENDANT: Stanley Dean Brower
CASE NUMBER: 4:15CR40001-1

SCHEDULE OF PAYMENTS

Having assessed your ability to pay, payment of the total criminal monetary penalties is due as follows:

- A** ☒ Lump sum payment of \$1,100 due immediately, balance due
- ☐ not later than _____, or
- ☒ in accordance with ☒ C, ☐ D, ☐ E, or ☐ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☒ Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of \$100, to commence on 05/01/2017 or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____, to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment of the total restitution and other criminal monetary penalties shall be due in regular quarterly installments of 50% of the deposits in the defendant's inmate trust account while the defendant is in custody, or 10% of the defendant's inmate trust account while serving custody at a Residential Reentry Center. Any portion of the monetary obligation(s) not paid in full prior to your release from custody shall be due in monthly installments of \$ _____, such payments to begin _____ days following your release.
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the Court has expressly ordered otherwise, if this Judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

You shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several
Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
- ☐ You shall pay the cost of prosecution.
- ☐ You shall pay the following court cost(s):
- ☐ You shall forfeit your interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVTa assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs.